

Form PTO-1390  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER P20825  U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/787,437
INTERNATIONAL APPLICATION NO. PCT/JP99/00388	INTERNATIONAL FILING DATE 29 January 1999	PRIORITY DATE CLAIMED 30 September 1998
TITLE OF INVENTION APOPTOSIS INDUCING AGENT		
APPLICANT(S) FOR DO/EO/US Yoko AIDA and Masakazu KAMATA		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information. <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). "Executed"</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 16 below concern other document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. Assignee: <u>RIKEN of Saitama, JAPAN</u></li> <li>12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>13. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>14. <input type="checkbox"/> A FIRST preliminary amendment. <input checked="" type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> Figure of Drawing to be published _____</li> <li>18. <input checked="" type="checkbox"/> Other items or information:            Cover Letter.            Request for Extension of Time.            Response to Paper Dated August 15, 2001 and Statement that the Content of the Paper and Computer Readable are the Same.            Diskette containing Sequence Listing (with paper copies of the same).            Copies of a date-stamped filing receipt (dated 6/25/01), a transmittal letter, a check No. 37685.            Copies of Forms PCT/DO/EO/905 and PCT/DO/EO/920.         </li> </ol>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.53) 09/787,437		INTERNATIONAL APPLICATION NO. PCT/JP99/00388		ATTORNEY'S DOCKET NUMBER P20825	
--	--	---	--	------------------------------------	--

19. <input checked="" type="checkbox"/> The following fees are submitted:  <div style="margin-left: 40px;">           Basic National Fee (37 CFR 1.492(a)(1)-(5)):            Search report has been prepared by the EPO or JPO. .... \$ 860.00            International preliminary examination fee paid to USPTO (37 CFR 1.482). .... \$ 690.00            No international preliminary examination fee paid to USPTO (37 CFR 1.482) but            international search fee paid to USPTO(37 CFR 1.445(a)(2)). .... \$ 710.00            Neither international preliminary examination fee (37 CFR 1.482) nor            international search fee (37 CFR 1.445(a)(2) paid to USPTO. .... \$1,000.00            International preliminary examination fee paid to USPTO (37 CFR 1.482) and all            claims satisfied provisions of PCT Article 33(2)-(4). .... \$ 100.00   <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> </div>				CALCULATIONS	PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than <u>  20  </u> <input checked="" type="checkbox"/> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0.00	
---	--	--	--	---------	--

Claims	Number Filed	Number Extra	RATE		
Total Claims	21 - 21 =	0	X \$18.00	\$ 0.00	
Independent Claims	2 - 3 =	0	X \$80.00	\$ 0.00	
Multiple dependent claim(s) (if applicable)			+ \$270.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<u>  </u> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than <u>  20  </u> <u>  30  </u> months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$ 0.00
Extension of Time fee in the amount of \$110.00					\$ 110.00
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 0.00
TOTAL FEES ENCLOSED =				\$ 110.00	
				Amount to be refunded	\$
				Charged	\$

a.    A check in the amount of \$ 110.00 to cover the above fees is enclosed.

b.    Please charge my Deposit Account No.        in the amount of \$        to cover the above fees.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055  
 AT THE PRESENT ADDRESS OF:  
 Bruce H. Bernstein  
 GREENBLUM & BERNSTEIN, P.L.C.  
 1941 Roland Clarke Place  
 Reston, VA 20191  
 (703) 716-1191

SIGNATURE  
 Bruce H. Bernstein  
 NAME  
Reg No 33,094  
 29,027  
 REGISTRATION NUMBER

RECEIVED PTO 25 JUN 2001

GREENBLUM & BERNSTEIN, P.L.C.  
Intellectual Property Causes  
1941 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

6/25/2001

File In: PCT

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

- ☐ Amendment \_\_\_\_\_
- ☐ Executed Assignment and cover letter  
☐ by facsimile
- ☐ Executed S.E.S. ☐ S.E.S. Assertion
- ☐ Req. for Ext. of Time
- ☒ Fee Filing ☒  
Recording ☐  
Issue ☐  
Extension ☐
- ☐ Fee Transmittal
- ☐ Maintenance Fee Payment
- ☐ PTOL-85B Issue Fee
- ☐ Letter to Draftsman
- ☐ Design Patent Application Transmittal
- ☐ Utility Patent Application Transmittal
- ☐ Provisional Application Cover Sheet
- ☐ Continued Prosecution Application  
(CPA) Request Transmittal
- ☐ Request for Continued Examination (RCE)  
including submission
- ☒ Cover Letter
- ☒ Check No. 37685 for \$ 130.00
- ☐ Rule 53b and 53f Letter for  
Unexecuted Application
- ☒ Copy of form PCT/Do/Eo/905
- ☐ Claim of Priority & Certified  
Copy of \_\_\_\_\_
- ☒ Declaration ☐ Supplemental  
☒ New ☐ Unexecuted  
☒ Executed by facsimile
- ☒ Transmittal Letter
- ☐ Patent Application
- ☐ Provisional ☐ Reexam
- ☐ Reissue ☐ Design
- ☐ Continuation ☐ CIP
- \_\_\_\_\_ pages (w/abstract)
- \_\_\_\_\_ claims \_\_\_\_\_ independent
- \_\_\_\_\_ sheets of drawings
- \_\_\_\_\_ figures
- ☒ I.D.S. form PTO-1449 &  
References ☒ as attached  
☐ as listed on  
reverse
- ☐ One self-addressed postcard
- ☐ Certification under 1.97(e)
- ☐ Certificate of Mailing (C-O-M)
- ☐ Returned Envelope
- ☒ Copy of translation of the International Preliminary  
Examination Report (dated 1/4/01)

COPY

In the matter of : APOPTOSIS INDUCERS

Applicant : Yoko AIDA

Application No. 09/787,437

Patent No. :

Filed : 3/27/2001

Issued :

Docket : P20825 AT / MS

**GREENBLUM & BERNSTEIN, P.L.C.**

**37685**

OUR REFERENCE NUMBER	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT	NET AMOUNT
Oath or declaration after twenty or thirty months from priority date (154)						
File # : P20825						
COPY						

**GREENBLUM & BERNSTEIN, P.L.C.**

PTO ACCOUNT  
1941 ROLAND CLARKE PLACE  
RESTON, VA 20191  
(703) 716-1191

NATIONSBANK  
OF VIRGINIA N.A.  
68-1-510

**37685**

DATE	CONTROL NO.	AMOUNT
June 25, 2001		\$ 130.00

PAY One Hundred Thirty and 00/100 Dollars  
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS  
ORDER OF

VOID AFTER 120 DAYS

⑈037685⑈ ⑆051000017⑆ 000026912101⑈

Security features included. Details on back.

**Rec'd PCT/PTO 15 NOV 2001**

P20825.P13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yoko AIDA et al.  
Serial No : 09/787,437  
(National Stage of PCT/JP99/00388)  
I.A. Filed : January 29, 1999  
For : APOPTOSIS INDUCING AGENT

**COVER LETTER**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed declaration of the International Application set forth in the Notification mailed August 15, 2001 which sets a two month period of response until October 15, 2001 and being extended by one month to November 15, 2001, Applicants hereby submit:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;

- a Response to Paper Dated August 15, 2001 and Statement that the Content of the Paper and Computer Readable copies are the Same, with attachments (a diskette containing sequence listing, paper/written copy of sequence listing, copy of date-stamped filing receipt, copy of transmittal letter, and copy of check No. 37685);

- a Request for Extension of Time;

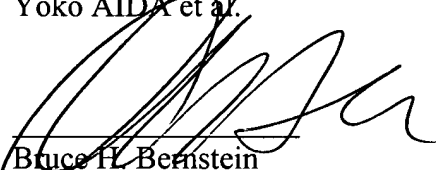
- a Preliminary Amendment; and

- a check in the amount of \$110.00 as payment for the extension of time.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below listed number.

Respectfully submitted,  
Yoko AIDA et al.

  
Bruce H. Bernstein  
Reg. No. 29,027

*Reg. no. 33,094*

November 14, 2001  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke  
Reston, VA 20191  
(703) 716-1191



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/787437	AIDA Y	P20825
INTERNATIONAL APPLICATION NO.		
PCT/JP99/00388		
I.A. FILING DATE		PRIORITY DATE
29 JAN 99		30 SEP 98
DATE MAILED: 15 AUG 99		

BRUCE H BERNSTEIN  
GREENBLUM & BERNSTEIN  
1941 ROLAND CLARKE PLACE  
RESTON, VA 20191

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.   |  |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |  |
- RECEIVED  
AUG 16 2001  
GREENBLUM & BERNSTEIN, P.L.C.

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☒ PCT/DO/EO/920

Barbara A. Campbell

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3631